

BUNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NATHANIEL WATT,

Plaintiff,

-against-

No. 22-cv-06841 (AMD)(JAM)

NEW YORK CITY POLICE OFFICERS PATRICK
GOURLAY and JOHN REDHEAD, NEW YORK CITY
DEPARTMENT OF CORRECTION OFFICER KEVIN
BLACKETT, in their individual and official capacities as
employees of the City of New York,

Defendants.

**DEFENDANT| POLICE OFFICERS' MOTION TO DISMISS
THE AMENDED COMPLAINT FOR FAILURE TO STATE A CLAIM
AND FOR SUMMARY JUDGMENT**

EXHIBIT B



New York City Police Department

OmniForm System - Arrests

RECORD STATUS: NYSID ENTERED**Arrest ID: K19657323 - Q****Arrest Location: INSIDE OF 9101 AVENUE N****Pct: 069****Arrest Date: 11-19-2019**Processing Type: **ON LINE**

Current Location of Perpetrator:

Time: 19:20:00DCJS Fax Number: **K0048242**Borough: **Brooklyn**Sector: **D**Special Event Code: **NO - NOT APPLICABLE**Type: **ALL PD LOCATIONS**Strip Search Conducted: **NO**

DAT Number:

Location: **069 PRECINCT**Viper Initiated Arrest: **NO**ICAD# **D19111922214**Stop And Frisk: **NO**Return Date: **0000-00-00**Serial #: **0000-000-00000****COMPLAINTS:****Arrest #: K19657323**

COMPLAINT NUMBER	REPORT DATE	RECORD STATUS	OCCUR DATE	OCCUR TIME
2019-069-05397	2019-11-19	Valid, Initial Arrests made	2019-11-19	18:30

CHARGES:**Arrest #: K19657323**

CHARGE	ATTEMPT?	LAW CODE	CLASS	TYPE	COUNTS	DESCRIPTION
TOP	No	PL 140.15 01	M	A	1	CRIMINAL TRESPASS 2ND

How Arrest came about:

Injuries:
00# Fatalities:
00

Test Given:

Reason Vehicle Not Forfeit:

Blood Specimen
Taken:Blood Specimen
Refused:Urine Specimen
Taken:Urine Specimen
Refused:Oral Fluid Specimen
Taken:Oral Fluid Specimen
Refused:Breath Sample
Refused:Breath Sample
Reading:BrAC:
0.0Role:
IDTU TechnicianDepartment:
NYPDTax:
0

Command:

Shield:
0

Rank:

Last Name:

First Name:

MI: IDTU/Blood
Case No:Role:
Point Person

Department:

Tax:

Command:

Shield:

Rank:

Last Name:

First Name:

MI:

Role:
**Supv in Charge
of Checkpoint**

Department:

Tax:

Command:

Shield:

Rank:

Last Name:

First Name:

MI:

DETAILS:**Arrest #: K19657323**

Was the defendant recording police-related activity at time of arrest?

AT TPO CV STATES WHILE INSIDE RESIDENCE (BASEMENT) DID SMELL MARIJUANA SMOKE WHICH ALERTED HIM TO POSSIBLY PERP INSIDE LOCATION AT WHICH TIME HE HEARD AN UNK INDIVIDUAL ATTEMPT TO OPEN ROOM DOOR. AT THAT TIME C/V WHO IS OFF DUTY NYC CORRECTIONS OFFICER DID DRAW FIREARM AND OPENED DOOR. CV OBSERVED DEFT INSIDE PRIVATE AREA OF HOME AT WHICH POINT A STRUGGLE ENSUED BETWEEN BOTH PARTIES AND A ROUND WAS FIRED INTO DOOR. CV THEN ORDERED DEFT ON THE GROUND AND CONTACTED PD. DEFT TRANSPORTED BY PO GALATI TO STATION HOUSE AND UPON SILA DID RECOVER BAG OF LOOSE MARIJUANA FROM FRONT RIGHT POCKET. NO WARRANTS.

DEFENDANT: WATT, NATHANIEL**NYSID #:****Arrest #: K19657323**

Nick/AKA/Maiden:

Sex: **MALE**Race: **BLACK**Age: **23**

Date Of Birth:

U.S. Citizen: **YES**Place Of Birth: **NEW YORK**Is this person not Proficient in
English?: **NO**

If Yes, Indicate Language:

Accent: **NO**Identification ID: **None**

Identification #:

Physical Condition: **INJ-ADMITTED IN
HOSP**Drug Used: **NONE**Height: **5FT 11IN**Weight: **200**Eye Color: **BROWN**Hair Color: **BLACK**Hair Length: **SHORT**Hair Style: **CLOSE
CUT**Skin Tone: **DARK**Complexion: **CLEAR**Soc. Security
#:Occupation: **NONE**Lic/Permit
Type:

Lic/Permit No:

Order Of Protection: **NO**

Issuing Court:

Docket #:

Expiration Date:

Relation to Victim: **NO RELATIONSHIP**Living together: **NO**Can be Identified: **YES**Gang/Crew Affiliation: **NO**

Name:

Identifiers:

DEF 002

LOCATION	ADDRESS	CITY	STATE/CNTRY	ZIP	APT/ROOM	PCT
HOME-PERMANENT		BROOKLYN	NEW YORK			069

Phone # and E-Mail Address:
E-MAIL:

N.Y.C.H.A. Resident: **NO** N.Y.C. Housing Employee: **NO** On Duty: **NO**
 Development: N.Y.C. Transit Employee: **NO**

Physical Force: NONE

Used Transit System: NO
Station Entered:
Time Entered:
Metro Card Type:
Metro Card Used/Poses:
Card #:

CRIME DATA	DETAILS
STATEMENTS MADE	NONE
METHOD OF FLIGHT	NA
MODUS OPERANDI	UNKNOWN
MODUS OPERANDI	TRESPASS INSIDE PRIVATE HOUSE
ACTIONS TOWARD VICTIM	UNK
CLOTHING	ACCESSORIES - JEANS - BLUE
CLOTHING	OUTERWEAR - WAIST LENGTH JACKET - BLACK
CLOTHING	FOOTWEAR - SNEAKERS - BLACK
CLOTHING	HEADGEAR - DU-RAG - BLACK
CHARACTERISTICS	UNKNOWN
BODY MARKS	-UNKNOWN
IMPERSONATION	UNKNOWN

JUVENILE DATA: Arrest #: **K19657323**

Relative Notified: Personal Recog:
 Number Of Priors: **0** Name:
 School Attending: Phone Called:
 Mother's Maiden Name: Time Notified:

ASSOCIATED ARRESTS: Arrest #: **K19657323**

ARREST ID COMPLAINT #

No Vehicles for Arrest #

DEFENDANTS CALLS: Arrest #: **K19657323**

CALL #	NUMBER DIALED	NAME - PROVIDED BY DEFENDANT	NAME AS LISTED IN CELL PHONE	RELATIONSHIP	CALL COMPLETED
1	--	REFUSED, REFUSED	REFUSED		NO

INVOICES: Arrest #: **K19657323**

INVOICE#	COMMAND	PROPERTY TYPE	VALUE
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ARREST RULES: Arrest #: **K19657323**

ARREST PROCESSING TYPE : 0
OFFENCE DATE : 11/19/2019
AGE AT TIME OF OCCURRENCE : 23
AGE BAND : C RTA 2019
JUV. OFFENDER CHARGE : , IS JUV. OFFENDER : FALSE
JUV. DELINQUENT CHARGE : , IS JUV. DELINQUENT : FALSE
JUV. ADOLESCENT CHARGE : , IS ADOLESCENT : FALSE

ARRESTING OFFICER: POM PATRICK C GOURLAY Arrest #: **K19657323**

Tax Number: 951780 Other ID (non-NYPD): 0 Shield: 244 Department: NYPD Command: 069	On Duty: YES In Uniform: YES Squad: C3 Chart: 05 Primary Assignment: BEAT OFFICER	Force Used: NO - No Force Used by any MOS Type: Reason: Officer Injured: NO Officer Body Worn Camera: YES TRI Number: 0000-000-00000 Suffix: 0
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Arresting Officer Name: Tax #: Command: Agency:

DEF 002

DEF 003

POM GOURLAY, PATRICK C		069	NYPD
Supervisor Approving: SGT RODRIGUEZ THOM	Tax #: 947426	Command: 069	Agency: NYPD
Report Entered by: POM GOURLAY, PATRI	Tax #: 951780	Command: 069	Agency: NYPD
END OF ARREST REPORT K19657323			

Print this Report

DEF 003